

**PUBLIC GUARDIAN  
CONSERVATORSHIP CALENDAR NOTES  
July 8, 2020  
1:30 p.m., Department 43  
Placer County Superior Court**

**All current local court COVID-19 information may be found at <http://www.placer.courts.ca.gov/general-covid-19.shtml>. In particular, please note:**

**Local Rule 10.28, "Remote Appearances—COVID-19 State of Emergency Temporary Rule," enacted April 6, 2020, requires remote telephone appearances for most court hearings. See Local Rule 10.28 for more details.**

**Local Rule 10.27, "eDelivery," requires electronic filing of documents by attorneys and represented parties.**

These calendar notes are provided pursuant to Local Rule 80.1.4 for the conservatorship calendar set for hearing **July 8, 2020, 1:30 p.m., in Department 43**, the Hon. Todd D. Irby, presiding. Pursuant to Local Rule 80.1.4, these calendar notes are **not** a tentative ruling on the merits of any matter before the court.

Updated notes may be posted at any time. Notes will generally be updated the court day prior to the hearing. Staff may respond to limited questions concerning calendar notes; however, court staff may not give legal advice to parties or attorneys. Messages may be left for the Office of Legal Research at (916) 408-6119.

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**1. S-PR-0008596 Cook, Wendy-In re the Conservatorship of**

Second conservatorship account

Appearance is required for hearing on second conservatorship account.  
Opening balance conflicts with closing balance of first account without explanation.

Carry value for real property identified in property on hand schedule conflicts with carry value in first account, without explanation. Carry value also conflicts with reappraisal-for-sale value (see I&A filed January 10, 2020).

Charges and credits do not balance, without explanation.

Clarification is needed: March 2020 board and care payment was more than 10

times that of prior months, without explanation.

Missing schedule(s) of assets on hand at the close of the accounts.

Missing entries for gain or loss on sale of real property. Real property sale value differs from carry balance in the original I&A and first account; reappraisal-for-sale value; and carry balance stated in second account. Sale of property necessarily incurred gain or loss on sale.

Account petition requests both \$1,320 and \$1,020 in fees without explanation (see account at 1:18-25), both of which conflict with the separately filed fees petition.

Missing Exhibit A referred to at 1:18-25.

Revised second account is needed.

#### Petition for conservator fees

Appearance is required for hearing on petition for conservator fees.

Clarification is needed: fees are requested for the period October 12, 2017, through May 8, 2020; however, the court previously awarded fees through March 31, 2018, in May 2018.

Clarification is needed: fees requested substantially exceed those requested in the second account (see foregoing notes).

Declaration in support of fees does not appear to be sufficient under C.R.C. 7.756 & 7.702 to permit the court to make a full evaluation of the requested fees under C.R.C. 7.751. It is recommended a revised declaration be required.

Court determination is needed with respect to reasonableness of requested fees. Requested fees (1) deviate substantially from Public Guardian's longstanding fees schedule; and (2) substantially exceed professional fees typically allowed to court-appointed attorneys for conservators when paid by the county. The billing schedules attached to the petition describe work requiring only ordinary skill or judgment, and no unusual skill, expertise, or experience. See C.R.C. 7.756(a)(6)-(7) & (9).

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

## **2. S-PR-0010148 Ishak, Paula ; In re the Conservatorship of**

Appearance is required for continued hearing on petition for appointment of conservator of the person and estate.

As previously noted, notice of hearing filed March 4 shows insufficient service. New notice and service are needed.

Missing appearance / report by court-appointed counsel for respondent.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's

office for information.

**3. S-PR-0010210 Davis, Donald ; In re the Conservatorship of**

Appearance is required for continued hearing on petition for appointment of conservator of the person and estate.

Missing appearance / report by court-appointed counsel for respondent.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.